

House File 2531

H-8613

Amend House File 2531 as follows:

1. Page 38, after line 1 by inserting:

<DIVISION

FIRE SUPPRESSION SYSTEMS

Sec. \_\_\_\_\_. Section 100.35, Code 2009, is amended to read as follows:

**100.35 Rules of marshal.**

1. The fire marshal shall adopt, and may amend rules under chapter 17A, which include standards relating to exits and exit lights, fire escapes, fire protection, fire safety and the elimination of fire hazards, in and for churches, schools, hotels, theaters, amphitheaters, hospitals, health care facilities as defined in section 135C.1, boarding homes or housing, rest homes, dormitories, college buildings, lodge halls, club rooms, public meeting places, places of amusement, apartment buildings, food establishments as defined in section 137F.1, and all other buildings or structures in which persons congregate from time to time, whether publicly or privately owned. Violation of a rule adopted by the fire marshal is a simple misdemeanor. However, upon proof that the fire marshal gave written notice to the defendant of the violation, and proof that the violation constituted a clear and present danger to life, and proof that the defendant failed to eliminate the condition giving rise to the violation within thirty days after receipt of notice from the fire marshal, the penalty is that provided by law for a serious misdemeanor. Each day of the continuing violation of a rule after conviction of a violation of the rule is a separate offense. A conviction is subject to appeal as in other criminal cases.

2. Rules by the fire marshal affecting the construction of new buildings, additions to buildings or rehabilitation of existing buildings and related to fire protection, shall be substantially in accord with the provisions of the nationally recognized building and related codes adopted as the state building code pursuant to section 103A.7 or with codes adopted by a local subdivision which are in substantial accord with the codes comprising the state building code. The rules adopted by the fire marshal shall not require the installation of fire sprinklers or a related fire suppression system in a one-family or two-family residential dwelling or a residential building that contains no more than four dwelling units.

3. The rules adopted by the state fire marshal under this section shall provide standards for fire resistance of cellulose insulation sold or used in this

1 state, whether for public or private use. The rules  
2 shall provide for approval of the cellulose insulation  
3 by at least one nationally recognized independent  
4 testing laboratory.

5 Sec. \_\_\_\_\_. Section 103A.7, subsection 2, paragraph  
6 d, Code Supplement 2009, is amended to read as follows:

7 d. Protection of the health, safety, and welfare  
8 of occupants and users. The rules adopted by the  
9 state building code commissioner shall not require  
10 the installation of fire sprinklers or a related  
11 fire suppression system in a one-family or two-family  
12 residential dwelling or a residential building that  
13 contains no more than four dwelling units.

14 Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. This division  
15 of this Act, being deemed of immediate importance,  
16 takes effect upon enactment.>

17 2. By renumbering as necessary.

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SODERBERG of Plymouth